



U.S. Department of Justice

United States Attorney
Eastern District of New York

EMN: CMP/AMC
F.#2011R01474

271 Cadman Plaza East
Brooklyn, New York 11201

October 5, 2011

Submitted Under Seal

CR 1

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The Honorable Nina Gershon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

GERSHON, J.

LEVY, M.J.

Re: United States v. Walters, et al.
Criminal Docket No. 11-

Dear Judge Gershon:

Pursuant to former Chief Judge Dearie's Administrative Order dated February 27, 2008 (the "Administrative Order"), the government hereby respectfully certifies to the Court that the above-referenced case ("Walters") is properly related to United States v. Starzecki, Criminal Docket No. 08-707 (S-2) (NG) ("Starzecki").

The Administrative Order provides in relevant part:

[N]otwithstanding any provision of Rule 50.3 of the Rules for the Division of Business Among District Judges, the Clerk of the Court is directed to assign all criminal cases randomly, unless the United States Attorney certifies in writing at the time of filing that a case to be assigned satisfies one of the three conditions in Rule 50.3(c), or involves the same specific conduct that is a subject of a pending case.

This letter constitutes the certification contemplated by the Administrative Order. Relation is appropriate in this case pursuant to the Administrative Order because the above-referenced case "involves the same specific conduct that is [the] subject" of Starzecki. Specifically, each of the defendants in


Walters is charged with participating in one or more of the criminal conspiracies charged in Starzecki.


The government further respectfully requests that this letter be filed under seal and remain under seal until such time as the defendants charged in Walters, which indictment was returned on October 5, 2011 and is currently under seal, are arrested so as to prevent their flight, destruction of evidence and witness tampering. See United States v. Amodio, 44 F.3d 141, 147 (2d Cir. 1995) (need to protect "confidential law enforcement information" and the integrity of an ongoing investigation can constitute proper concern justifying sealing).

Respectfully submitted,

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cc: Counsel for defendants (upon entry of notice of appearance)